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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203

November 17, 1980

Mr. Norman Butterworth
Aerovox, Inc.
740 Belleville Avenue
New Bedford, MA 02741
NPDES #MA0003379

Re: Reapplication Requirements for EPA-Issued NPDES Permits in
Region I

Dear Permittee:

The Environmental Protection Agency ("EPA") is implementing the Consolidated Permit Regulations under Title 40, Code of Federal Regulations, Parts 122, 123, 124 and 125, 45 Fed. Reg. 33290-33588 (May 19, 1980). These regulations have been designed to promote consistency in several of the Agency's established and newly developed permit programs.

The regulations require industrial permittees with currently effective National Pollutant Discharge Elimination System ("NPDES") permits to apply for renewal of those permits using Forms 1 and 2c of EPA's consolidated permit application forms. 40 C.F.R. §122.53(c)(2). However, application forms did not become available until very recently, with the result that it may be physically impossible for some permittees to reapply for new permits using these forms before their old permit expires.

The regulations provide that the conditions of an expired permit continue in force until the effective date of a new permit if the permittee has submitted a timely and complete application for a new permit. 40 C.F.R. §122.5. EPA Region I is modifying in part the schedule found in 40 C.F.R. §122.53(c)(2) for timely submission of permit applications to overcome the difficulties created by the unavailability of the application forms.

EPA will consider an application to be made in a timely fashion under 40 C.F.R. §§122.4 and 122.53(c), and will consider the old permit to remain fully in force under 40 C.F.R. §122.5 if the application is submitted in compliance with the following schedule:

- a) For those permits which expired on or before November 30, 1980, Forms 1 and 2c must be submitted to EPA within thirty (30) days of receipt of this letter and the enclosed forms. Permittees may, at the same time, request in writing an extension of up to six (6) months for submitting the information required in paragraphs d(7), (9), and (10) of 40 C.F.R. §122.53.

Those permittees whose permits expired on or before November 30, 1980 and who already reapplied for permit renewal prior to April 30, 1980 are not required to reapply again using Forms 1 and 2c. However, before a permit may be reissued, all primary industry applicants must provide the quantitative data for toxic pollutants specified in 40 C.F.R. §122.53 (d)(7)(ii)-(v). This information would not have been provided on the old application forms. Therefore, Part C of Form 2c should be used for reporting this data within six (6) months of receipt of this letter and the enclosed forms.

- b) For those permits which expire between December 1, 1980 and May 31, 1981, Forms 1 and 2c must be submitted to EPA by the date of permit expiration. Permittees may, at the same time, request in writing an extension of up to six (6) months or June 30, 1981, whichever is earlier, for submitting the information required in paragraphs d(7), (9), and (10) of 40 C.F.R. §122.53.

Should you have any questions concerning the new application requirements, do not hesitate to contact Veronica C. Harrington of my staff. She may be reached at (617)223-5061. Please note that there are no application fees required by EPA for any of the permits issued under the consolidated program.

Sincerely yours,


John R. Moebes
Chief, Permits Branch

Enclosures